

REMARKS

Claims 12-42 and 44-52 are pending in the present application.

Claims 12, 25, 30, and 33, have been amended. Support for these amendments can be found in the specification, for example, at Figure 10.

In addition new claims 44-52 have been added. Support for these claims can be found in the specification as filed, for example, page 2, lines 15-21. page 8, lines 24-26, page 9, lines 1-5, and Figures 5-10

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §103(a) Over Mei in view of Psiharis and in view of
Volpenhein

Claims 12-42 have been rejected under 35 USC § 103(a) as upatentable over U.S. Patent No. 5,617,603 issued to Mei, hereafter, “Mei”, in view of U.S. Patent No. 2,253,210 issued to N. Psiharis, hereafter, “Psiharis”, and in further view of WO 98/18364 filed on behalf of Volpenhein, hereafter, “Volpenhein”. Applicants respectfully traverse the rejection by the Office.

It is well settled that in order to establish a *prima facie* case of obviousness, three requirements must be met. MPEP §2143. First, there must be some suggestion or motivation, either in the cited references or in the knowledge generally available to one ordinarily skilled in the art, to modify the reference. *Id.* Second, there must be some reasonable expectation of success. *Id.* Third, the cited references must teach or suggest all of the claim limitations. *Id.*

Claims 12, 25, 30, and 33, recite, in part, that “the bottom face having a recess therein, [and] a generally flat elastomeric massaging plate disposed within the recess.” According to Applicants’ understanding of Mei, Psiharis and Volpenhein, none of the reference teaches or suggests a the bottom face of the brush head having a recess and none of the references teaches or suggests a massaging plate disposed therein. As such, Applicants assert that the suggested combination of Mei, Psiharis and Volpenhein fails to teach or suggest all of the claim elements of claims 12, 25, 30, and 33. Accordingly,

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Applicants assert that claims 12, 25, 30, and 33, are nonobvious over the suggested combination of Psiharis and Volpenhein. Additionally, because claims 13-24; 26-29; 31-32; and 34-42 depend from claims 12, 25, 30, and 33, these claims are similarly nonobvious over the suggested combination of Mei, Psiharis and Volpenhein. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 12-42 under 35 U.S.C. § 103(a).

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

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